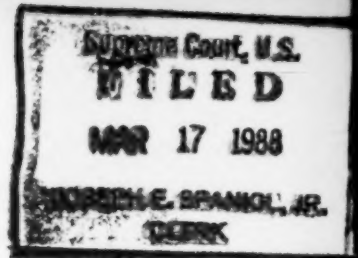


(3)
NO. 87-1418



IN THE
SUPREME COURT OF THE UNITED STATES
OF AMERICA

OCTOBER TERM, 1987

JACK TICKLE AND RAY MONTEITH,

PETITIONERS

v.

SHELBY COUNTY, et al,

RESPONDENTS

ON WRIT OF CERTIORARI TO THE
SUPREME COURT OF TENNESSEE

BRIEF IN OPPOSITION
TO PETITION FOR CERTIORARI

JAMES BRITTON LAMB, Counsel of Record
Suite 801
160 North Mid-America Mall
Memphis, Tennessee 38103
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Attorney for Respondents

OPINIONS BELOW

In the Appendix to its Petition, Petitioner sets out two Opinions and Orders of the Court of Appeals of Tennessee and a per curiam Order of the Supreme Court of Tennessee, which the Respondent adopts by this reference.

STATEMENT OF THE CASE

The Petitioner's Statement of the Case is riddled with inaccuracy.

The true facts of the case, it is respectfully submitted, are thoroughly investigated and set out in the Opinion of the Court of Appeals filed September 4, 1987, to be found in the Petitioner's Appendix, Pages 16 et seq.

ARGUMENT

In its first Opinion, the Tennessee Court of Appeals finds that Plaintiff's Complaint was sufficient to entitle it to a

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trial on the merits; in its second, the same Court finds that the pertinent allegations of the Complaint were not adequately sustained by the evidence.

The question concerning a violation of the Fourteenth Amendment was scarcely mentioned in any Tennessee Court so these Courts did not pass upon the matter.


No Federal question is involved in this case.

No Federal money is in any way involved.

CONCLUSION

For the reasons set forth above, the Respondents herein submit that a writ of certiorari should not be granted in this case.

Respectfully Submitted,



JAMES BRITTON LAMB,
Attorney for Respondents

CERTIFICATE OF SERVICE

I, James Britton Lamb, Counsel of Record for Respondents and a member of the bar of the Supreme Court of the United States, hereby certify that, on the 15 day of March, 1988, I served three (3) copies of the foregoing Brief on Mr. James D. Causey, Attorney at Law, 208 Adams Avenue, Memphis, Tennessee, 38103.

It is further certified that all parties required to be served have been served.

James B. Lamb
JAMES BRITTON LAMB
Attorney for Respondents